



BOB ZIEGELBAUER

STATE REPRESENTATIVE • TWENTY FIFTH ASSEMBLY DISTRICT

Senate Committee on Labor, Elections and Urban Affairs

Senator Spencer Coggs, Chair

Wednesday, March 5, 2008

11:00 a.m. – 201-Southeast

Support for Assembly Bill 628

Dear Senator Coggs and Committee Members:

Thank you for holding a public hearing on AB 628, relating to annual reports filed with the Department of Regulation and Licensing by certain charitable organizations. (AB 628 passed the Assembly Committee on State Affairs on January 15, 2008 on a 9-0 vote, and passed the State Assembly on Tuesday, February 26th on a voice vote.)

I was contacted by Mr. Mike Konecny, CPA, of Schenck Government & Not-for-Profit Solutions, requesting that I introduce this proposal. As Mr. Konecny explained in his note to me in requesting a due date change,

"Form 1952 is required to be sent in for most Not-for-Profit organizations by June 30. The form requires a copy of the IRS Form 990 to be attached. We audit many of the NFPs that are required to send in the form. The IRS Form 990 has an extended due date of August 15 and is prepared after the audit work is completed. What happens is that we give substantial discounts to the NFPs to do the audit work after busy season (May, June and July). Since we extend the 990, doing the audit in June or July is not a problem for the IRS. The problem is that the state essentially requires us to complete the 990 by June 30th. Just seeing if there would be a possibility to move the due date for Form 1952 to August."

My office has been in contact with Mr. Larry Martin, Executive Assistant at the Department of Regulation & Licensing, who had their attorneys review this language and we were told the Department will not oppose AB 628. In my office's discussion with Mr. Martin, we found that it is a statutory requirement that registered charities file the report within 6 months of the close of their fiscal year, (440.42(3)(a)). Only those groups whose fiscal year ends December 31st have the June 30th due date for the report to be filed. There are no extensions available under the law.

We were also told that Reg & Licensing staff tells concerned filers who call that if they pay the renewal fee by the due date of July 31st annually, they will receive at the end of August or early September an "Intent to Deny Renewal" notice. That notice gives 30 days from the date of the notice to submit any delinquent material without penalty, thus giving them until roughly the beginning of October to submit.

While that seems to help many, from an outside accountant's point of view, regularly receiving "Intent to Deny Renewal" notices is probably not the best way to run a not-for-profit. I believe that this small change we can make would have a positive impact on the administration of not-for-profit organizations. Therefore, I would appreciate your support for AB 628.

I am happy to answer any questions you may have. Thank you in advance for your consideration.

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February 29, 2008

Senator Spencer Coggs, Chair
Senate Committee on Labor, Elections and Urban Affairs
123-South

Dear Sen. Coggs & Committee Members:

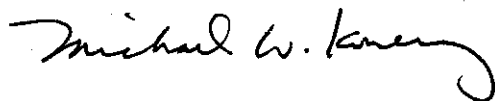
This letter is in support of AB 628 which changes the due date of the annual report required by many charitable organizations from 6 months after their year end to 7 months after their year end.

I have been a practicing CPA in Wisconsin for over 30 years and am currently employed by Schenck Business Solutions. In my role at Schenck, I am in-charge of all services rendered to government and not-for-profit clients. Schenck is one of the largest CPA firms in Wisconsin with 9 offices and over 500 employees.

Currently, the annual report (Form 1952) required to be filed by many charitable organizations is due 6 months after their year end. Form 1952 requires a Federal Form 990 to be attached. The Federal Form 990 is initially due 4.5 months after year end, with an automatic 3 month extension. In effect, the Federal Form 990 is due 7.5 months after the year end of the organization. AB 628 will change the due date of Form 1952 to 7 months after year end and will more closely correspond to the federal extended due date of 7.5 months.

Our firm audits many not-for-profit and charitable organizations in Wisconsin, most of which have December 31 year ends. We currently offer these organizations substantial cost discounts to complete their work in May, June or July which is after our traditional busy season. Since the Federal Form 990 is completed after the audit, completing the audit in June or July is not a problem for the federal government. Because the state Form 1952 requires a Federal Form 990, the audits along with the federal and state reports are essentially required to be completed by June 30. By changing the due date of Form 1952 to 7 months after year end (July 31 for calendar year ends), the due date will more closely correspond to the final due date of the federal government.

Sincerely,



Michael W. Konecny, CPA